

**UNITED STATES DISTRICT COURT  
DISTRICT OF MAINE**

UNITED STATES OF AMERICA                         )  
  )  
  )  
v.    )  
  )  
JASON STEVENS,                                      )  
  )  
  )  
Defendant.    )  
  )

**ORDER ON DEFENDANT'S PRO SE MOTION FOR EMERGENCY HEARING**

Before the Court is Defendant's Pro Se Motion for Emergency Hearing (Docket # 46). Upon receipt of this Motion, the Court ordered the Government to file an expedited response and status update, which the Court received on October 10, 2008. Having reviewed the Government's filing as well as having consulted with Probation, the Court has determined that no further action is required on the pending motion.

Defendant was on schedule to be released from custody on August 29, 2008. In preparation for that release date, he was designated to serve the final portion of his sentence in a halfway house. As Defendant himself admits, he left his halfway house without permission on August 18, 2008. In his absence, Defendant's escape from the halfway house was handled via the BOP's administrative process. The Government reports that as a result of the BOP disciplinary process Defendant has lost more than 60 days of good conduct time and, in addition, is required to serve an additional 27 days for the time he spent in escape status. The end result is that Defendant is now eligible for release on or around December 23, 2008. To the extent that the Defendant believes he is

entitled to an earlier release date, he must direct his claims to the BOP, not this Court. The Government has indicated that they will take all the necessary steps to ensure copies of the infraction report and all other administrative decisions related to that infraction report are provided to Defendant Stevens. The Court believes that those documents will allow Defendant to pursue any available administrative appeals related to his current confinement.

Having concluded that the Defendant is not currently subject to an “illegal detention,” the Court hereby DENIES Defendant’s Motion for Emergency Hearing (Docket # 46).

SO ORDERED.

/s/ George Z. Singal  
Chief U.S. District Judge

Dated this 14th day of October, 2008.